IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.415 OF 2005

Baldevsingh Hirasingh Chib. ... Petitioner.

vs.

Shamsher Singh Baldevsingh Chib. .... Respondent.

Mr.Sanjay Jain i/b. L.J.Law, for Petitioner.

Mr.Kedar Wagle, for Respondent.

CORAM: D.K.DESHMUKH,J.

DATED: 21st December, 2005

P.C.:-

By consent of parties, the petition is disposed of in the following terms:-

1. The Hon'ble Mr.Justice R.J.Kochar (Retired) is appointed as Arbitrator. All the disputes between the parties relating to the partnership firm are referred for decision to the learned Arbitrator. The proceedings be conducted in accordance with the provisions of the Arbitration and Conciliation Act,1996. The learned Arbitrator shall make the Award as expeditiously as possible in any case within a period of Six months from the date on which the first meeting would

be held.

2. It is an admitted position that presently the respondent is carrying on business of Bakery from the premises where the partnership was carrying on the business. Interim order in terms of prayer clause (b) excluding bracketed portion is granted which will operate during the pendency of the arbitration proceedings.

3. The respondent shall deposit amount of Rs.15,000/- per month in the Court with due intimation to the petitioner. The deposit to be made on or before the 10th day of every month. The depositing of amount should start from January,2006. On being deposited, the amount shall be invested in fixed deposit in a nationalised bank during the pendency of the arbitration proceeding. The disposal of that amount shall be governed by the order that may be made by the learned Arbitrator.

4. In case the respondent commits default in depositing the monthly amount, the petitioner shall be free to approach the learned Arbitrator for appropriate order.

The petition is disposed of.

Petitioner to communicate this order to the learned Arbitrator.